

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action in view of the foregoing amendments and following remarks.

Claims 1-4 and 6-16 remain pending, with claims 1 and 4 being independent. Claim 6 has been cancelled without prejudice or disclaimer of subject matter. Claims 1 and 4 have been amended herein. Support for the amendments can be found throughout the originally-filed disclosure, including, for example, at paragraph 0043 of the specification. Thus, Applicants submit that the amendments do not include new matter.

Claims 1-4 and 6-16 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Helbig (U.S. Patent Application Pub. No. 2002/0116257).

Applicants respectfully traverse the rejection. Nevertheless, without conceding the propriety of the rejection and solely to expedite prosecution, Applicants have amended independent claims 1 and 4 so as to clarify certain features of the invention not suggested by Helbig. To this end, Applicants submit that the claimed invention is patentably distinguishable from Helbig for at least the following reasons.

Amended independent claim 1 recites a method in a computer system that allows a user to redeem loyalty points comprising, inter alia, calculating an amount of loyalty points that are available in an account for the user in the computer system, transferring additional loyalty points from another account not in the computer system, and verifying that a total amount of loyalty points that are available in the account for the user in the computer system and the additional loyalty points transferred from the other account not in the computer system meets the amount of points necessary to complete the collected transactions. Amended independent claim 4 recites similar features.

Applicants submit Helbig fails to disclose or suggest these features of the invention. For example, there is no indication that the methods disclosed in the reference include a step of transferring additional loyalty points from another account outside the disclosed system, and then combining the additional loyalty points with points on the system as part of an incentive redeeming process. Thus, Helbig does not disclose or suggest the invention recited in amended independent claims 1 and 4.

Moreover, it appears that a modification of the methods disclosed by Helbig to allow additional transferred incentives, not gained by a user through use of the system, to be used in a redemption process would run counter to the objectives of the reference. If a proposed modification of a reference would change the principle operation of the reference, then the teachings of the art are not sufficient to render the claims prima facie obvious. MPEP § 2143.01(VI). A point of emphasis in Helbig is getting a user to accumulate incentives by visiting web sites of the incentive issuers. See, e.g., paragraphs 0066, 0067, 0079. This aids in achieving the reference's stated objectives of getting the user to purchase products from the incentive issuers' web sites. Paragraph 0014. Other objectives are gained by requiring the user to visit the incentive issuers web sites, such as evaluating the effectiveness of various incentive symbol placement and presentation strategies. Paragraph 0079. Thus, a modification of the methods of Helbig to allow user to transfer incentives from other accounts in a redemption process would run counter to a principal of operation in Helbig. That is, if allowed to use additional transferred incentives not gained from surfing the incentive issuers' web sites, the user would then have spend less time visiting the issuer's web sites before accumulating enough incentives for a particular redemption transaction, which is contrary to the objectives of the reference.

For at least the foregoing reasons, Applicants submit that invention recited in amended independent claims 1 and 4 is not disclosed or suggested by Helbig.

The dependent claims should also be deemed allowable for defining features of the invention in addition to those recited in their respective independent claims. Favorable individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the Office Action, and a Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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